

4. Exhibit A is BMO's complaint.
5. Exhibit B is Cassidy's "Brief for Defendant-Appellant" dated November 7, 2013.
6. Exhibit C is the first amended complaint in AEP Energy Services, et ano. v. Bank of Montreal 03 Civ. 00335 (JLG-NMK) (S.D. Ohio).
7. Exhibit D is an email chain reflecting a valuation dispute between BMO and counterparty, HETCO.
8. Exhibit E is a transcript of a telephone conversation between BMO employees Murray McIntosh and Pat Cronin as dated April 11, 2007.
9. Exhibit F is the first page of the draft memo from Penny Somerville to Murray McIntosh dated January 2007 reflecting 7,613,906 total NG contracts.
10. Exhibit G is the Deloitte Report.
11. Exhibit H is an email from William Downe dated January 29, 2007.
12. Exhibit I is the Draft Commodities Brief, written by Penny Somerville on or around April 21, 2007,
13. Exhibit J is an email dated May 5, 2007 from William Downe to Andy Plews.
14. Exhibit K is a set of handwritten notes of Penny Somerville dated February 2, 2007.
15. Exhibit L is an email from Murray McIntosh to Eric Tripp April 5, 2007.
16. Exhibit M is the memorandum dated May 18, 2007 from DKC to BMO.
17. Exhibit N is an email from Totem to BMO dated February 9, 2007.
18. Exhibit O is the "302" report of an FBI interview with Murray McIntosh.
19. Exhibit P is an email dated January 31, 2007 from Penny Somerville to herself.

20. Exhibit Q is an email from Jeff Wang to Murray McIntosh dated December 7, 2006.

21. Exhibit R is a portion of a transcript of the CFTC at oral argument on October 22, 2009.

22. Exhibit S is the transcript of proceedings before Magistrate Cott held October 30, 2013.

23. Exhibit T is a draft of a proposed amendment to Cassidy's second affirmative defense of *in pari delicto*.

Dated: Brooklyn, New York
November 27, 2013

Respectfully submitted,

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